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JAN 19, 2021	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE DELORES RIVERA,

Defendant.

2:20-CR-208-RFB-NJK

Preliminary Order of Forfeiture

This Court finds Jose Delores Rivera pled guilty to Count One of a One-Count Criminal Information charging him with possession of a controlled substance with intent to distribute—anabolic steroids in violation of 21 U.S.C. § 841(a)(1). Criminal Information, ECF No. 5; Plea Agreement, ECF No. 7; Arraignment & Plea, ECF No. 9.

This Court finds Jose Delores Rivera agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information. Criminal Information, ECF No. 5; Plea Agreement, ECF No. 7; Arraignment & Plea, ECF No. 9.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information and the offense to which Jose Delores Rivera pled guilty.

The following property is (1) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of 21 U.S.C. § 841(a)(1) and (2) all raw materials, products, and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance or listed chemical in violation of 21 U.S.C. § 841(a)(1), and is subject

1 to forfeiture pursuant to 21 U.S.C. § 853(a)(2) and 21 U.S.C. § 881(a)(2) with 28 U.S.C. §
2 2461(c):

- 3 1. a large pill press manufactured in China, no make, model or serial number,
4 with FBI evidence control number 1B139; and
- 5 2. a large pill press manufactured in China, no make, model or serial number,
6 with FBI evidence control number 1B140
7 (all of which constitutes property).

8 This Court finds that the United States of America may amend this order at any time
9 to add subsequently located property or substitute property to the forfeiture order pursuant
10 to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

11 This Court finds the United States of America is now entitled to, and should, reduce
12 the aforementioned property to the possession of the United States of America.

13 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
14 DECREED that the United States of America should seize the aforementioned property.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
16 rights, ownership rights, and all rights, titles, and interests of Jose Delores Rivera in the
17 aforementioned property are forfeited and are vested in the United States of America and
18 shall be safely held by the United States of America until further order of the Court.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
20 of America shall publish for at least thirty (30) consecutive days on the official internet
21 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
22 describe the forfeited property, state the time under the applicable statute when a petition
23 contesting the forfeiture must be filed, and state the name and contact information for the
24 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
25 and 21 U.S.C. § 853(n)(2).

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
27 or entity who claims an interest in the aforementioned property must file a petition for a
28 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which

petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited property and any additional facts supporting the petitioner's petition and the relief sought.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days after the first day of the publication on the official internet government forfeiture site, www.forfeiture.gov.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the following address at the time of filing:

Daniel D. Hollingsworth
Assistant United States Attorney
James A. Blum
Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency following publication of notice of seizure and intent to administratively forfeit the above-described property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies of this Order to all counsel of record.

DATED January 19, 2021.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE